

Appl. No. : 09/865,125  
Filed : May 24, 2001

#### AMENDMENTS TO THE CLAIMS

1. (Previously Presented) A picket fence and rail mounting system comprising:
  - at least an upper and a lower, elongate rail in spaced relation to one another, each rail having a hollow interior defining a substantially I-shaped cross-section having a first surface, a second surface, at least a first slot adjacent the first surface, at least a second slot adjacent the second surface, a plurality of spaced openings in the first surface, and a channel in the second surface, the channel having a width that is at least as wide as the width of each opening;
  - at least one elongate picket having a first end and a second end, at least a first notch or indentation in a picket face, and a cross-sectional shape substantially the same as, but of slightly smaller dimension than the openings in the first surface of the rails; and
  - at least one elongate retaining rod disposed within at least one of the rails, wherein the rod cooperates with the first notch or indentation on each picket to secure the picket to the rail; and

wherein the rod is alternately disposable within either of the first or second slots of the upper rail, and alternately disposable within either of the first or second slots of the lower rail, and each rail may be alternately oriented such that the first surface resides above the second surface and vice versa, wherein the rod is disposable in first and second vertically spaced positions respectively defined by the slots of the upper rail to secure the picket in first and second positions corresponding to the first and second positions of the rod.
2. (Original) The system of claim 1, wherein each notch comprises a substantially V-shaped upper extent and a substantially V-shaped lower extent such that the vertices of each V are oppositely disposed and define a minimum width of the notch.
3. (Original) The system of claim 1, wherein the first notch or indentation is located near the first end and the picket further comprises a second notch or indentation near the second end.
4. (Original) The system of claim 3, wherein the notches or indentations on each picket are in one picket face.
5. (Original) The system of claim 3, wherein the notches or indentations on each picket are in oppositely facing picket faces.

Appl. No. : 09/865,125  
Filed : May 24, 2001

6. (Original) The system of claim 3, wherein a distance between the first picket end and first notch or indentation is shorter than a distance between the second picket end and second notch or indentation.

7. (Previously Presented) The system of claim 6, wherein with both the upper and lower rails oriented such that the first surface of each faces upward, and each picket oriented such that the first end of each faces upward and the second end of each faces downward, and the retaining rod residing within the first rail slot in the upper rail such that the rod cooperates with the first notch or indentation on each picket, the first end of each picket extends upwardly a distance  $x$  from the first surface of the upper rail and the second end of each picket extends downwardly a distance  $y$  from the second surface of the lower rail, wherein  $y$  is greater than  $x$ .

8. (Previously Presented) The system of claim 6, wherein with both the upper and lower rails oriented such that the first surface of each faces upward, and each picket oriented such that the second end of each faces upward and the first end of each faces downward, and retaining rod residing within the first rail slot in the upper rail such that the rod cooperates with the second notch or indentation on each picket, the second end of each picket extends upwardly a distance  $y$  from the first surface of the upper rail and the first end of each picket extends downwardly a distance  $x$  from the second surface of the lower rail, wherein  $y$  is greater than  $x$ .

9. (Previously Presented) The system of claim 6, wherein with both the upper and lower rails oriented such that the first surface of each faces upward, and a first set of pickets oriented such that the first end of each faces upward and the second end of each faces downward, and a second set of pickets oriented such that the second end of each faces upward and the first end of each faces downward, and a retaining rod residing within the first rail slot in the upper rail such that the rod cooperates with the first notch or indentation of each picket in the first set and the second notch or indentation of each picket in the second set, the first end of each picket in the first set extends upwardly a distance  $x$  from the first surface of the upper rail and the second end of each picket in the first set extends downwardly a distance  $y$  from the second surface of the lower rail, and the second end of each picket in the second set extends upwardly a distance  $y$  from the first surface of the upper rail and the first end of each picket in the second set extends downwardly a distance  $x$  from the second surface of the lower rail, wherein  $y$  is greater than  $x$ .

Appl. No. : 09/865,125  
Filed : May 24, 2001

10. (Original) The system of claim 7, 8 or 9, further comprising decorative finials, wherein each finial comprises a lower portion configured to slidably engage one end of a picket, and an upper portion configured to provide an aesthetic design.

11. (Original) The system of claim 7, 8 or 9, further comprising decorative inserts, wherein each insert comprises a mounting portion configured to slidably engage the lower slots of at least the upper or lower rail, and an decorative portion configured to provide an aesthetic design.

12. (Previously Presented) The system of claim 6, wherein with the upper rail oriented such that its first surface faces downward, and the lower rail oriented such that its first surface faces upward, and each picket oriented such that the first end of each faces upward and the second end of each faces downward, and the retaining rod residing within the first rail slot in the upper rail such that the rod cooperates with the first notch or indentation on each picket, the first end of each picket is flush with or beneath the second surface of the upper rail and the second end of each picket extends downwardly a distance  $y$  from the second surface of the lower rail.

13. (Original) The system of claim 12, further comprising an elongate cap having a substantially C-shaped cross-section and configured to slidably engage the second surface of the upper rail and provide a continuous flat cover therefor.

14. (Original) The system of claim 1, wherein an exterior surface of each rail defines a substantially I-shaped cross-section.

15. (Original) The system of claim 1, wherein the pickets are tubular.

16. (Original) The system of claim 1, wherein the rod is cylindrical.

17. (Original) The system of claim 1, wherein the rod has an oval cross-section.

18. (Original) The system of claim 1, wherein the rod has a flattened-oval cross-section.

19. (Original) The system of claim 1, wherein the rod has a square cross-section.

20. (Original) The system of claim 1, wherein the rod has an L-shaped cross-section.

21. (Previously Presented) A picket fence and rail mounting system comprising:

at least an upper and a lower elongate rail in spaced relation to one another, each rail having a hollow interior defining a substantially I-shaped cross-section having a first surface, a second surface vertically spaced from the first surface, at least a first slot adjacent the first surface, at least a second slot adjacent the second surface, the first and

Appl. No. : 09/865,125  
Filed : May 24, 2001

second slots being vertically spaced, a plurality of spaced openings in the first surface, and a channel in the second surface, the channel having a width that is at least as wide as the width of each opening;

at least one elongate picket having a first end and a second end, at least a first hole in a picket face, and a cross-sectional shape substantially the same as, but of slightly smaller dimension than the openings in the first surface of the rails; and

at least one fastening member cooperating with the at least one hole to secure the picket to the rail, wherein each rail may be alternately oriented such that the first surface faces upward and such that the first surface faces downward.

22. (Previously Presented) The system of claim 21, wherein the at least one fastening member comprises a spring clip.

23. (Previously Presented) The system of claim 22, wherein the spring clip may be inserted within the first slot or the second slot of the upper rail, and the spring clip may be inserted within the first slot or the second slot of the lower rail.

24. (Previously Presented) The system of claim 21, wherein the at least one fastening member comprises a threaded screw.

25. (Previously Presented) A picket fence and rail mounting system comprising:  
an elongate, substantially hollow rail having a top wall with a plurality of spaced openings, and a bottom wall with an elongate channel having a width that is at least as wide as the width of each opening, the rail having a first interior width at a vertical center thereof, the first interior width being measured in a horizontal direction from a first inside surface thereof to a second inside surface thereof, and a second interior width at a height just beneath the top wall, the second interior width being measured in a horizontal direction from the first inside surface to the second inside surface, the second interior width being greater than the first interior width, thus defining an interior elongate slot adjacent the top wall;

at least one elongate picket with a notch or indentation in a side of the picket, and a cross-sectional shape sized to fit snugly within one of the openings and the channel; and

an elongate retaining rod disposed within the slot and the notch or indentation to secure the picket to the rail.

Appl. No. : 09/865,125  
Filed : May 24, 2001

26. (Original) The system of claim 25, wherein the rail may be alternately oriented such that the top wall faces upward or the channel faces upward.

27. (Original) The system of claim 25, wherein the picket notch or indentation is a first picket notch or indentation located near a first picket end, and the picket further comprises a second notch or indentation near a second picket end.

28. (Original) The system of claim 27, wherein a distance between the first picket end and first notch or indentation is shorter than a distance between the second picket end and second notch or indentation.

29. (Canceled)

30. (Canceled)

31. (Canceled)

32. (Canceled)

33. (Canceled)

34. (Canceled)

35. (Canceled)

36. (Canceled)

37. (Canceled)

38. (Canceled)

39. (Canceled)

40. (Canceled)

41. (Canceled)

42. (Canceled)

43. (Previously Presented) A picket fence and rail mounting system comprising:  
at least an upper and a lower elongate rail in spaced relation to one another, each rail having a hollow interior defining an I-shaped cross-section having a first surface, a second surface, at least a first slot adjacent the first surface, at least a second slot adjacent the second surface, a plurality of spaced openings in the first surface, and a channel in the second surface, the channel having a width that is at least as wide as the width of each opening;

Appl. No. : 09/865,125  
Filed : May 24, 2001

at least one elongate picket having a first end and a second end, at least a first notch or indentation in a picket face, and a cross-sectional shape substantially the same as, but of slightly smaller dimension than the openings in the first surface of the rails; and

at least one elongate retaining rod disposed within at least one of the rails, wherein the rod cooperates with a notch or indentation on each picket to secure the picket to the rail; and wherein

the rod is disposable in first and second vertically spaced positions respectively defined by the slots of the upper rail to secure the picket in first and second positions corresponding to the first and second positions of the rod.

44. (New) The system of claim 43, wherein each notch comprises a substantially V-shaped upper extent and a substantially V-shaped lower extent such that the vertices of each V are oppositely disposed and define a minimum width of the notch.

45. (New) The system of claim 43, wherein the first notch or indentation is located near the first end and the picket further comprises a second notch or indentation near the second end.

46. (New) The system of claim 45, wherein the notches or indentations on each picket are in one picket face.

47. (New) The system of claim 45, wherein the notches or indentations on each picket are in oppositely facing picket faces.

48. (New) The system of claim 45, wherein a distance between the first picket end and first notch or indentation is shorter than a distance between the second picket end and second notch or indentation.

49. (New) The system of claim 48, wherein with both the upper and lower rails oriented such that the first surface of each faces upward, and each picket oriented such that the first end of each faces upward and the second end of each faces downward, and the retaining rod residing within the first rail slot in the upper rail such that the rod cooperates with the first notch or indentation on each picket, the first end of each picket extends upwardly a distance x from the first surface of the upper rail and the second end of each picket extends downwardly a distance y from the second surface of the lower rail, wherein y is greater than x.

50. (New) The system of claim 48, wherein with both the upper and lower rails oriented such that the first surface of each faces upward, and each picket oriented such that the

Appl. No. : 09/865,125  
Filed : May 24, 2001

second end of each faces upward and the first end of each faces downward, and retaining rod residing within the first rail slot in the upper rail such that the rod cooperates with the second notch or indentation on each picket, the second end of each picket extends upwardly a distance  $y$  from the first surface of the upper rail and the first end of each picket extends downwardly a distance  $x$  from the second surface of the lower rail, wherein  $y$  is greater than  $x$ .

51. (New) The system of claim 48, wherein with both the upper and lower rails oriented such that the first surface of each faces upward, and a first set of pickets oriented such that the first end of each faces upward and the second end of each faces downward, and a second set of pickets oriented such that the second end of each faces upward and the first end of each faces downward, and a retaining rod residing within the first rail slot in the upper rail such that the rod cooperates with the first notch or indentation of each picket in the first set and the second notch or indentation of each picket in the second set, the first end of each picket in the first set extends upwardly a distance  $x$  from the first surface of the upper rail and the second end of each picket in the first set extends downwardly a distance  $y$  from the second surface of the lower rail, and the second end of each picket in the second set extends upwardly a distance  $y$  from the first surface of the upper rail and the first end of each picket in the second set extends downwardly a distance  $x$  from the second surface of the lower rail, wherein  $y$  is greater than  $x$ .